

VZCZCXRO7982
RR RUEHBZ RUEH DU RUEHGI RUEHJO RUEHMA RUEHMR RUEHPA RUEHRN RUEHTRO
DE RUEHPL #0421 3641134
ZNR UUUUU ZZH
R 301134Z DEC 09
FM AMEMBASSY PORT LOUIS
TO RUEHC/SECSTATE WASHDC 4903
INFO RUEHZO/AFRICAN UNION COLLECTIVE

UNCLAS PORT LOUIS 000421

SENSITIVE
SIPDIS

DEPT FOR AF/FO;
AF/RSA FOR LOUIS MAZEL, LAURA GRIESMER AND LEARNED DEES;
AF/E FOR MARIA BEYZEROV

E.O. 12958: N/A
TAGS: [PHUM](#) [PGOV](#) [MP](#)
SUBJECT: MAURITIUS: HOMOSEXUALITY NOT LEGISLATED, BUT RELIGIOUS
OPPOSITION EXISTS

REF: (A) STATE 130765 (B) A/S CARSON EMAIL OF 12/22/2009

¶1. (SBU) In Mauritius, homosexuality is not specifically mentioned in legislation, but the act of sodomy is on the books and is criminalized. The constitution's anti-discrimination provisions mention "sex" but not "sexual orientation." There is no legislation pending which would penalize gays or lesbians, nor are there any plans to amend the constitution to include mention of sexual orientation.

¶2. (SBU) The sodomy law is sometimes used by women against their spouses in divorce cases. There are no cases where the law has been used to criminalize homosexuality. In 2007, the Attorney General presented a Sexual Offences bill in the National Assembly, which included a clause to decriminalize the act of sodomy. The bill was sent to a parliamentary committee for review; it remains there still.

¶3. (SBU) In Mauritius, legal discrimination regarding homosexuality is not an issue, but there is a cultural stigma associated with homosexuality. As a result, few homosexuals openly admit to being gay (this may account for the fact that since its creation in 2001, the Sex Discrimination Division of the National Human Rights Commission has received no/no complaints regarding discrimination based on sexual orientation).

¶4. (SBU) The younger generation in Mauritius is generally more open and tolerant of homosexuality than the older generation; however, certain religious groups have proven to be strong opponents of homosexuality, as indicated by their stance regarding the 2007 Sexual Offences bill. The Council of Religions, an interfaith group of religious leaders in Mauritius, played a significant role in sidelining the bill in committee by voicing dissent during the public consultation period. (NOTE: Public forums are held while bills are in committee to give the public a chance to comment on the pending legislation. END NOTE)

¶5. (SBU) "Collectif Arc en Ciel" (Rainbow Collective) is the only local NGO working specifically for the rights of the lesbian/gay/bisexual/transsexual community. The Collective has held pride parades for the past four years, which have drawn small crowds. In 2008, mainly as a follow-on to the public consultations for the Sexual Offences bill, religious groups held peaceful protests against the parade. There were no such protests in 2009.

WALKLEY